



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia P. Roman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 184275 §
issued to VIRGINIA ELIZABETH DAVIS § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 184275, issued to VIRGINIA ELIZABETH DAVIS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Schreiner College, Kerrville, Texas, on February 15, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on April 29, 2002.
5. Respondent's complete vocational nursing employment history includes:

04/02-03/03 Unknown

Respondent's complete vocational nursing employment history includes (continued):

04/03-09/03	LVN	Kerr County Sheriff's Department Kerrville, Texas
09/03-05/05	LVN	Gambro Health Care Kerville, Texas
05/05-06/06	LVN	Girling Health Care Dallas, Texas
07/06- 07/07	LVN	Supplemental Health Care Park City, Utah
05/07- 07/07	LVN	Parkland Health and Hospital Dallas, Texas
07/07-11/08	LVN	Correctional Healthcare Companies Greenwood Village, Colorado
11/08-Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Licensed Vocational Nurse with Supplemental Healthcare, Park City, Utah and assigned to Dallas County Sheriff's Office, Dallas County Jail, Dallas, Texas, and had been in this position for two (2) months.
7. On or about July 2007, while employed as a Licensed Vocational Nurse with Supplemental Healthcare, Park City, Utah, and assigned to Dallas County Sheriff's Office, Dallas County Jail, Dallas, Texas, Respondent violated the professional boundaries of the nurse/client relationship by adding funds to an inmates commissary card. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
8. At the time of the initial incident in Finding of Fact Number Nine (9), Respondent was employed as a jail nurse in the Wayne McCollum Detention Center, Waxahachie, Texas, with Correctional Healthcare Companies, Greenwood Village, Colorado and assigned to Ellis County Jail, Waxahachie, Texas, and had been in this position for approximately six (6) months.
9. From on or about January 1, 2008, to on or about February 29, 2008, while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne McCollum Detention Center, Waxahachie, Texas, Respondent violated the professional boundaries of the nurse/client

relationship by engaging in an inappropriate personal relationship with inmate R.L. Specifically, Respondent provided inmate R.L. with special attention during medical visits and while he was a trustee, that was not provided to other inmates. Respondent's conduct violated professional boundaries and was such as to cause physical neglect of and emotional harm to other inmates of the Wayne McCollum Detention Center.

10. From on or about March 1, 2008, to on or about May 1, 2008, while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne McCollum Detention Center, Waxahachie, Texas, Respondent violated the professional boundaries of the nurse/client relationship by engaging in inappropriate sexual contact with former inmate R.L. Specifically, the Respondent engaged in sexual intercourse with former inmate R.L. on several occasions. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
11. On or about November 7, 2008, while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne McCollum Detention Center, Waxahachie, Texas, Respondent engaged in unprofessional conduct which was likely to deceive and defraud the public by providing inmate R.T. with transportation to a hotel for the night of November 7, 2008, and transportation to a Wal-Mart parking lot the next morning. Respondent's conduct enabled inmate R.T. to escape from Texas to Tennessee and would constitute a violation of Texas Penal Code Sections 38.05 and 38.07, if charged
12. On or about November 2008, to present while licensed as a Vocational Nurse, Respondent violated the professional boundaries of the nurse/client relationship by engaging in a sexual relationship with former inmate R.E.. Specifically, Respondent is currently in a sexual relationship with R.E. that was fostered as a result of R.E. being an inmate at Ellis County Sheriff's Office, Wayne McCollum Detention Center, Waxahachie, Texas, when Respondent was employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne McCollum Detention Center, Waxahachie, Texas. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
13. On or about March 31, 2010, Respondent sat for a Psychological Evaluation with Dr. John M. Lehman, Clinical Psychologist. Dr. Lehman states that there are concerns about the Respondent's ability to function as a nurse, she has a poorly formed self concept and poor coping skills. Respondent's poor ability to cope with stress likely contributed to these very poor decisions, and significant stress could again cause her to lose focus and violate nursing practices unless these are addressed. Dr. Lehman states that Respondent would not be

appropriate to ever work in a corrections setting, and her practice should be restricted from that. Additionally, Dr. Lehman does not feel she should practice unsupervised because her life is still in substantial upheaval and with her poor coping skills, her ability to function within professional boundaries is an ongoing concern.

14. Charges were filed on January 5, 2009.
15. Charges were mailed to Respondent on January 12, 2009.
16. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(10) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B)&(J) and 22 TEX. ADMIN. CODE §217.12(6)(A),(C),(D),(E)&(H)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against License Number 184275, heretofore issued to VIRGINIA ELIZABETH DAVIS, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 184275, heretofore issued to VIRGINIA

ELIZABETH DAVIS, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to VIRGINIA ELIZABETH DAVIS, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 12th day of July, 2010.

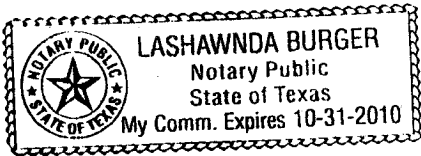
Virginia Elizabeth Davis
VIRGINIA ELIZABETH DAVIS, Respondent

Sworn to and subscribed before me this 12th day of July, 2010.

Lashawnda Burger

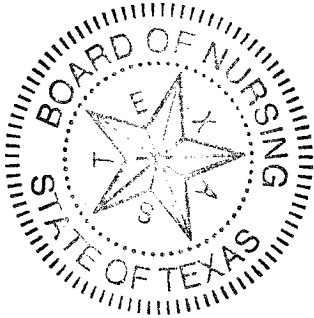
Notary Public in and for the State of Texas

SEAL



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 184275, previously issued to VIRGINIA ELIZABETH DAVIS.

Effective this 19th day of July, 2010.



A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board